



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: JOHN D WARNER JR	Case Number: 17SL-CC02379
Plaintiff/Petitioner: CITY OF RICHMOND HEIGHTS, MISSOURI	Plaintiff's/Petitioner's Attorney/Address KENNETH J. HEINZ 130 SOUTH BEMISTON SUITE 200 CLAYTON, MO 63105
Defendant/Respondent: ALLIED WORLD SPECIALTY COMPANY	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Breach of Contract	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: ALLIED WORLD SPECIALTY COMPANY

Alias:

C/O DIRECTOR OF INSURANCE
301 W. HIGH STREET, ROOM 530
JEFFERSON CITY, MO 65101

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739 or TTY at 314-615-4567, at least three business days in advance of the court proceeding.

05-JUL-2017

Date

Further Information:

LNG

Joan P. Delaney
Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

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- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

(name) (title).

☐ other

Served at (address)

in (County/City of St. Louis), MO, on (date) at (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on (date).

(Seal)

My commission expires:

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$

Non Est \$

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ (miles @ \$. per mile)

Total \$

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EXHIBIT

2

THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

Twenty First Judicial Circuit

NOTICE OF ALTERNATIVE DISPUTE RESOLUTION SERVICES

Purpose of Notice

As a party to a lawsuit in this court, you have the right to have a judge or jury decide your case. However, most lawsuits are settled by the parties before a trial takes place. This is often true even when the parties initially believe that settlement is not possible. A settlement reduces the expense and inconvenience of litigation. It also eliminates any uncertainty about the results of a trial.

Alternative dispute resolution services and procedures are available that may help the parties settle their lawsuit faster and at less cost. Often such services are most effective in reducing costs if used early in the course of a lawsuit. Your attorney can aid you in deciding whether and when such services would be helpful in your case.

Your Rights and Obligations in Court Are Not Affected By This Notice

You may decide to use an alternative dispute resolution procedure if the other parties to your case agree to do so. In some circumstances, a judge of this court may refer your case to an alternative dispute resolution procedure described below. These procedures are not a substitute for the services of a lawyer and consultation with a lawyer is recommended. Because you are a party to a lawsuit, you have obligations and deadlines which must be followed whether you use an alternative dispute resolution procedure or not. **IF YOU HAVE BEEN SERVED WITH A PETITION, YOU MUST FILE A RESPONSE ON TIME TO AVOID THE RISK OF DEFAULT JUDGMENT, WHETHER OR NOT YOU CHOOSE TO PURSUE AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE.**

Alternative Dispute Resolution Procedures

There are several procedures designed to help parties settle lawsuits. Most of these procedures involve the services of a neutral third party, often referred to as the "neutral," who is trained in dispute resolution and is not partial to any party. The services are provided by individuals and organizations who may charge a fee for this help. Some of the recognized alternative dispute resolutions procedures are:

(1) Advisory Arbitration: A procedure in which a neutral person or persons (typically one person or a panel of three persons) hears both sides and decides the case. The arbitrator's decision is not binding and simply serves to guide the parties in trying to settle their lawsuit. An arbitration is typically less formal than a trial, is usually shorter, and may be conducted in a private setting at a time mutually agreeable to the parties. The parties, by agreement, may select the arbitrator(s) and determine the rules under which the arbitration will be conducted.

(2) Mediation: A process in which a neutral third party facilitates communication between the parties to promote settlement. An effective mediator may offer solutions that have not been considered by the parties or their lawyers. A mediator may not impose his or her own judgment on the issues for that of the parties.

CCADM73

(3) Early Neutral Evaluation (“ENE”): A process designed to bring the parties to the litigation and their counsel together in the early pretrial period to present case summaries before and receive a non-binding assessment from an experienced neutral evaluator. The objective is to promote early and meaningful communication concerning disputes, enabling parties to plan their cases effectively and assess realistically the relative strengths and weaknesses of their positions. While this confidential environment provides an opportunity to negotiate a resolution, immediate settlement is not the primary purpose of this process.

(4) Mini-Trial: A process in which each party and their counsel present their case before a selected representative for each party and a neutral third party, to define the issues and develop a basis for realistic settlement negotiations. The neutral third party may issue an advisory opinion regarding the merits of the case. The advisory opinion is not binding.

(5) Summary Jury Trial: A summary jury trial is a non binding, informal settlement process in which jurors hear abbreviated case presentations. A judge or neutral presides over the hearing, but there are no witnesses and the rules of evidence are relaxed. After the “trial”, the jurors retire to deliberate and then deliver an advisory verdict. The verdict then becomes the starting point for settlement negotiations among the parties.

Selecting an Alternative Dispute Resolution Procedure and a Neutral

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A copy of the list may be obtained by request in person and in writing to: Circuit Clerk, Office of Dispute Resolution Services, 7900 Carondelet Avenue, 5th Floor, Clayton, Missouri 63105. The Neutral Qualifications Forms will also be made available for inspection upon request to the Circuit Clerk.

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_____ (name) _____ (title).

☐ other _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

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Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary _____

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Mileage \$ _____ (_____ miles @ \$ _____ per mile)

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IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

CITY OF RICHMOND HEIGHTS,
MISSOURI, a municipal corporation,

Plaintiff,

vs.

ALLIED WORLD SPECIALTY
COMPANY, et al.,

Defendants.

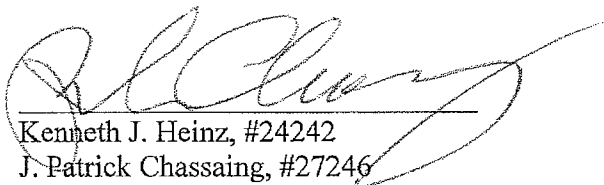
Cause No. 17SL-CC02379

Division No. 15

ENTRY OF APPEARANCE

COME NOW J. Patrick Chassaing of Curtis, Heinz, Garrett & O'Keefe, P.C. and
herewith files his entry of appearance on behalf of Plaintiff City of Richmond Heights, Missouri.

CURTIS, HEINZ,
GARRETT AND O'KEEFE, P.C.



Kenneth J. Heinz, #24242
J. Patrick Chassaing, #27246
130 S. Berniston, Ste. 200
Clayton, MO 63105
(314) 725-8788
(314) 725-8789 Fax
Attorneys for Plaintiff
City of Richmond Heights, Missouri
kheinz@chgolaw.com
pchassaing@chgolaw.com



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

RECEIVED

JUL 14 2017

COLE COUNTY
SHERIFF'S OFFICE
FILED

JUL 20 2017

(Date File Stamp)

JOAN M. OLIVER
CIRCUIT CLERK, ST. LOUIS COUNTY

Judge or Division: JOHN D WARNER JR	Case Number: 17SL-CC02379
Plaintiff/Petitioner: CITY OF RICHMOND HEIGHTS, MISSOURI	Plaintiff's/Petitioner's Attorney/Address KENNETH J. HEINZ 130 SOUTH BEMISTON SUITE 200 CLAYTON, MO 63105
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Kellyn Blum (name) Blum (title).

☐ other _____

Served at 301 W High (address)
in St. Louis (County/City of St. Louis), MO, on 7/17/17 (date) at 9:00 (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$ _____ per mile)
Total	\$ _____

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THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

Twenty First Judicial Circuit

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FILED

JUL 20 2017

 JOAN M. GILMER
 CIRCUIT CLERK, ST. LOUIS COUNTY

Clerk

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Robert John (name) John (title).

☐ other _____

Served at 301 W High (address)
 in Chil (County/City of St. Louis), MO, on 7/17/17 (date) at 9:00 (time).

John A. Schell Printed Name of Sheriff or Server
John A. Schell Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____ (date) _____ Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
 Non Est \$ _____
 Sheriff's Deputy Salary \$ _____
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 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
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Selecting an Alternative Dispute Resolution Procedure and a Neutral

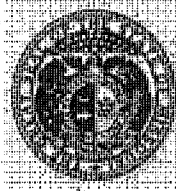
If the parties agree to use an alternative dispute resolution procedure, they must decide what type of procedure to use and the identity of the neutral. As a public service, the St. Louis County Circuit Clerk maintains a list of persons who are available to serve as neutrals. The list contains the names of individuals who have met qualifications established by the Missouri Supreme Court and have asked to be on the list. The Circuit Clerk also has Neutral Qualifications Forms on file. These forms have been submitted by the neutrals on the list and provide information on their background and expertise. They also indicate the types of alternative dispute resolution services each neutral provides.

A copy of the list may be obtained by request in person and in writing to: Circuit Clerk, Office of Dispute Resolution Services, 7900 Carondelet Avenue, 5th Floor, Clayton, Missouri 63105. The Neutral Qualifications Forms will also be made available for inspection upon request to the Circuit Clerk.

The List and Neutral Qualification Forms are provided only as a convenience to the parties in selecting a neutral. The court cannot advise you on legal matters and can only provide you with the List and Forms. You should ask your lawyer for further information.

CCADM73

Governor Eric R. Greitens
State of Missouri



Department of Insurance
Financial Institutions
and Professional Registration
Chloria Lindley-Myers, Director

July 17, 2017

KENNETH J. HEINZ
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CLAYTON, MO 63105

FILED

JUL 20 2017

JOAN M. GILMER
CIRCUIT CLERK ST. LOUIS COUNTY


NOTICE OF REJECTION OF SERVICE

Please find enclosed the summons petition and any accompanying documents or other pleadings, which were recently received by the Department of Insurance, Financial Institutions and Professional Registration. These pleadings are being returned to you because:

Name of the insurance company defendant in such pleading or documents is either incomplete or inaccurate, making proper service questionable. Therefore, you must advise the Court of the name of the specific company on which you want service.

The Department will endeavor to effect service of process pursuant to statute when the above defects are cured and the corrected documents are served on us.

Sincerely,


Kathryn Latimer

Enclosure: CITY OF RICHMOND HEIGHTS, MISSOURI v. DARWIN NATIONAL ASSURANCE COMPANY

St. Louis Co. Circuit Court, Case Number: 17SL-CC02379

Other Defendants: ALLIED WORLD SPECIALTY COMPANY

Cc: St. Louis Co. Circuit Court